

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHERI DIGREGORIO	)	
<i>Individually and as administratrix of the estate</i>	)	
<i>of Todd Digregorio, Deceased,</i>	)	
	)	Civil Action No. 23-2167
Plaintiff,	)	Magistrate Judge Maureen P. Kelly
	)	
v.	)	
	)	
TRIVIUM PACKAGING COMPANY	)	
<i>Individually and as successor in interest to</i>	)	
<i>Exal Corporation; UNUM LIFE</i>	)	
INSURANCE COMPANY OF AMERICA,	)	
	)	
Defendants.	)	

**ORDER**

Given that motions pursuant to Federal Rule of Civil Procedure 12 are discouraged if the pleading defect is curable by amendment, IT HEREBY IS ORDERED that the parties must meet and confer prior to the filing of any Rule 12 motion, including motions for judgment on the pleadings under Rule 12(c), to determine whether the motion can be avoided. The duty to meet and confer extends to parties appearing *pro se*. Consistent with the foregoing, **Rule 12 motions must be accompanied by a certificate of the movant** stating that the moving party has made a good faith effort to confer with the nonmovant(s) to determine whether the identified pleading deficiencies properly may be cured by amendment. **Rule 12 motions that do not contain the required certification will be summarily denied.**

IT IS FURTHER ORDERED that: (1) as soon as is practicable, Plaintiff(s) shall promptly serve a copy of this Order upon Defendant(s); (2) all counsel and unrepresented parties must read,

know and understand the Local Rules of this Court (*see* web page at: <http://www.pawd.uscourts.gov/sites/pawd/files/lrmanual20181101.pdf>); and (3) all counsel and unrepresented parties must familiarize themselves with the undersigned's Practices and Procedures (*see* web page at [http://www.pawd.uscourts.gov/sites/pawd/files/kelly\\_pp.pdf](http://www.pawd.uscourts.gov/sites/pawd/files/kelly_pp.pdf)), and they will be held responsible for complying with the same.

SO ORDERED this 3<sup>rd</sup> day of January, 2024.

BY THE COURT:

/s/ Maureen P. Kelly  
MAUREEN P. KELLY  
UNITED STATES MAGISTRATE JUDGE